



WHEREAS, by Order dated March 18, 2022 (Dkt. 160), pursuant to a further stipulation among the Parties, the Court extended the stay of litigation until May 18, 2022;

WHEREAS, by Order dated May 19, 2022 (Dkt. 162), pursuant to a further stipulation among the Parties, the Court extended the stay of litigation until July 18, 2022;

WHEREAS, by Order dated July 19, 2022 (Dkt. 164), pursuant to a further stipulation among the Parties, the Court extended the stay of litigation until October 18, 2022;

WHEREAS, by Order dated October 18, 2022 (Dkt. 166), pursuant to a further stipulation among the parties, the Court extended the stay of litigation until December 19, 2022;

WHEREAS, Defendant SME has recently made a further settlement proposal dated December 14, 2022 but has represented to Plaintiffs' counsel that it requires additional time to collect, analyze, and provide or exchange class member financial data, including updating the scope of the class to include recently received notices of termination pursuant to Section 203 of the U.S. Copyright Act, necessary to assist the parties in evaluating the adequacy of SME's December 14, 2022 settlement proposal;

WHEREAS, Defendant SME has represented to Plaintiffs' counsel that it has been working on certain data collection since at least October 2022 and in furtherance of the settlement discussions has committed that it will provide Plaintiffs' counsel with an initial set of information on or before February 28, 2023;

WHEREAS, the parties have agreed to schedule a mediation with a mutually acceptable mediator on or before April 28, 2023; and

WHEREAS, the Parties continue to be actively engaged in good-faith in settlement negotiations, and the Parties believe it is in their best interests to extend the current stay of

litigation until April 28, 2023, to allow them to conserve resources and continue to focus on furthering a potential resolution of this action.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for Plaintiffs and SME, as follows:

1. The litigation, including any court deadlines set by this Court or the Federal Rules of Civil Procedure, all discovery, and deadlines regarding the third-party defendants, shall remain stayed until April 28, 2023, at which point, if the Parties have not reached a class-wide settlement in principle, the Parties will work together to submit a stipulated case schedule for the Court's consideration.



2. This Stipulation is without prejudice to the Parties hereto agreeing, subject to Court approval, to a further extension of the stay if circumstances warrant.

3. The Parties shall report to the Court on or before the expiration of the stay regarding their progress toward resolution.

4. In the event that the Parties reach an impasse or their settlement discussions irretrievably break down, the Parties shall meet and confer in good faith as to whether ongoing discussions are expected to be fruitful and if any Party (Plaintiffs or SME) determines that such discussions are likely to be no longer productive then the Party may notify the Court after five business days of the Parties' meet and confer to request that the Court terminate the stay for good cause.

5. As noted above, the Parties made nine previous requests for a stay of litigation, which this Court granted. Dkts. 141, 148, 152, 154, 157, 160, 162, 164, 166.

**AGREED:**

 Roy W. Arnold ( <i>Pro Hac Vice</i> ) Gregory M. Bordo ( <i>Pro Hac Vice</i> ) David M. Perry ( <i>Pro Hac Vice</i> ) Heidi Crikelair BLANK ROME LLP 1271 Avenue of the Americas New York, NY 10020  Evan S. Cohen ( <i>Pro Hac Vice</i> ) Maryann R. Marzano ( <i>Pro Hac Vice</i> ) COHEN MUSIC LAW 104 West Anapamu Street, Suite K Santa Barbara, CA 93101-3126  <i>Attorneys for Plaintiffs</i>  Dated: December 19, 2022	 _____ Scott A. Edelman ( <i>Pro Hac Vice</i> ) Gabrielle Levin GIBSON, DUNN & CRUTCHER LLP 200 Park Avenue New York, New York 10166  Steven Englund ( <i>Pro Hac Vice</i> ) JENNER & BLOCK LLP 1099 New York Avenue, NW, Suite 900 Washington, DC 20001  <i>Attorneys for Defendant</i> <i>Sony Music Entertainment</i>  Dated: December 19, 2022
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IT IS SO ORDERED.

Dated: December 20, 2022

By: \_\_\_\_\_

  
Hon. Edgardo Ramos  
United States District Judge